

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed October 18, 2005. Claims 1-11 and 13-21 are pending in the Application. Applicant amended Claims 11 and 15. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

The Office Action rejects Claims 11 and 15 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,276,901 to Howell et al ("*Howell*"); Claims 13, 14, and 16 are rejected in this Office Action under 35 U.S.C. 103(a) as being unpatentable over *Howell* in view of U.S. Patent No. 6,950,943 to Bacha ("*Bacha*") as applied to Claims 11 and 15 above and further in view of U.S. Patent 5,765,152 to Erickson ("*Erickson*").

Applicant respectfully traverses. The Office Action concedes that *Howell* fails to teach the use of user caveats and document caveats in conjunction with clearance levels of documents and clearance levels of users (Page 3 of Office Action), but nevertheless rejects Claim 11 based on combination of *Howell* with a reference (*Bacha*) that merely uses an access control list and a document control list instead of explicit clearance levels for users and documents. But neither *Howell* nor *Bacha* teach the desirability of using clearance levels in combination with caveats, and there is no suggestion to combine these two. Nevertheless, to expedite prosecution, Applicant has amended Claim 11 to recite the additional steps of determining the number of user caveats and the number of document caveats and comparing the user caveats to the document caveats. Because each of *Howell* and *Bacha* involve the use of a single list – either clearance level or an access control list – it would not be obvious to modify either of these to determine the number of document caveats and the number of user caveats. Neither reference provides any suggestion of the need to determine the number of document caveats or user caveats because only a single list is contemplated.

Applicant additionally notes that the combination of *Howell* and *Bacha* also does not disclose the use of clearance levels in combination with caveats, as described above, and there is no suggestion to combine the two. The Office Action states that such a modification would "increase the security for the documents and help to avoid problems such as where a user is mistakenly granted explicit access without possessing the required clearance level as stated in *Howell*, 7:20-25." This is wrong for two reasons. First, even if correct, this statement is merely a purported advantage realized from the combination of two systems; it

does not provide the motivation in the first instance to actually combine the systems. Second, the stated advantage is nonsensical, stating that one should use both clearance levels and an access control list to avoid mistakenly granting access to someone not possessing the required clearance level. Clearly, a system that checks clearance levels does not need a check of another list to avoid mistakenly granting access based on clearance levels – the clearance level check would prevent that from happening – and thus the purported advantage does not make sense.

For at least these reasons, Claim 11 is allowable, as are all claims depending therefrom. Claim 15 is also allowable for analogous reasons, as are all claims depending therefrom. Reconsideration and favorable actions are requested.

CONCLUSION

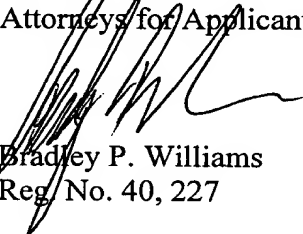
Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

Applicant believes no fee is due. However, the Commissioner is hereby authorized to charge any additional fee or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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